334

Distr.
LIMITED

E/CN.4/1994/L.7
11 February 1994

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS
Fiftieth session
Agenda item 9

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

Draft resolution submitted by the Chairman

Question of Western Sahara

The Commission on Human Rights,

Having considered the question of Western Sahara,

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its earlier resolutions, the latest of which is resolution 1993/17 of 26 February 1993,

Recalling also the agreement in principle given on 30 August 1988 by the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y Río de Oro to the proposals of the Secretary-General of the United Nations and the current Chairman of the Conference of Heads of State and Government of the Organization of African Unity, in the framework of their joint mission of good offices,

Recalling further Security Council resolutions 621 (1988) of 20 September 1988, 658 (1990) of 27 June 1990, 690 (1991) of 29 April 1991 and 725 (1991) of 31 December 1991 relating to the question of Western Sahara,

Recalling with satisfaction the entry into force of the cease-fire in Western Sahara on 6 September 1991, in accordance with the proposal of the Secretary-General accepted by both parties,

Taking note of the adoption of resolution 809 (1993) by the Security Council on 2 March 1993,

Noting the letter dated 4 August 1993 from the President of the Security Council addressed to the Secretary-General (S/26239),

Considering that the holding of talks between the two parties in Laayoune from 17 to 19 July 1993 is a positive development,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/48/23 (Part V), chapter IX),

Having also examined the report of the Secretary-General (A/48/426),

1. Takes note with appreciation of the report of the Secretary-General;

2. Pays tribute to the Secretary-General and his Special Representative for their action with a view to settling the question of Western Sahara through the implementation of the settlement plan;

3. Reaffirms its support for the efforts which the Secretary-General will continue to make for the organization and supervision by the United Nations, in cooperation with the Organization of African Unity, of a referendum for self-determination of the people of Western Sahara, in accordance with resolutions 658 (1990) and 690 (1991), in which the Security Council adopted the settlement plan for the question of Western Sahara;

4. Endorses the content of the letter dated 4 August 1993 (S/26239) from the President of the Security Council addressed to the Secretary-General, in which the members of the Security Council among other things fully support the Secretary-General's efforts to make early progress on the preparations for holding the referendum in accordance with Council resolution 809 (1993), note

that the Identification Commission has begun preparatory work, welcome the reaffirmation by the two parties of their commitment to the implementation of the peace plan in its entirety, and, in particular, their encouraging responses to his compromise proposal concerning the interpretation and application of the criteria, and share the Secretary-General's hope that direct talks between the two parties will soon resume;

5. Recalls that the General Assembly has requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara, bearing in mind the ongoing referendum process, and to report thereon to the Assembly at its forty-ninth session;

6. Decides to follow the development of the situation in Western Sahara and to consider the question at its fifty-first session, as a matter of high priority, under the agenda item entitled "The right of peoples to self-determination and its application to peoples under colonial or alien domination or foreign occupation".

- - - - -